

IN THE DRAWINGS

Applicant proposed to amend the timeline in Fig. 1, and to amend the overlapping relation of the bars in Fig. 2 in accordance with the accompanying ANNOTATED SHEET SHOWING CHANGES.

Enclosed herewith is a REPLACEMENT SHEET in which the above changes have been incorporated.

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has rejected claims 1, 5-7 and 9-12 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,240,240 to Nagano et al. in view of U.S. Patent 5,187,589 to Kono et al. and further in view of U.S. Patent 5,307,173 to Yuen et al. In addition, the Examiner has rejected claims 4, 8 and 13-20 under 35 U.S.C. 103(a) as being unpatentable over Nagano et al. in view of Kono et al.

The Nagano et al. patent discloses an apparatus and method for controlling the recording of television programs, in which a display listing is created by a user showing bars representing desired programs, where the lengths and positions of the bars represent the durations and transmission times of the desired programs.

The Kono et al. patent discloses a mulitprogram video tape recording and reproducing device, in which a time chart shows various programs as bars, the lengths and positions of the bars representing the durations and transmission times of the desired programs.

The Yuen et al. patent discloses an apparatus and method using compressed codes for television program record scheduling, in which, when adding a new program to the listing having the same

starting time as a program already in the listing, the program most recently added to the listing will be recorded first.

The Examiner has indicated that while "Nagano et al. does not disclose the overlapping and overlapped bar overlapping in position...", Kono et al. "discloses displaying programs or parts of programs overlapping in time as partially overlapping such that the length and position of an overlapping and overlapped bar still indicates the duration and time of transmission of the corresponding program (Fig. 2 - the overlapping programs still indicate the duration and time of the entire program of all conflicting programs)."

Applicant submits that while Nagano et al. and Kono et al. both show overlapping bars, at least with respect to the timeline, neither Kagano et al. nor Kono et al. disclose or suggest that the bars should partially superpose in position wherein the overlapping bar has priority over the overlapped bar. This is shown in, for example, Fig. 2 of the subject application.

The Examiner now states "Kono et al. discloses in Fig. 2 the bars representing the programs in the top half of the figure showing how the programs overlap in time and then on the bottom half of the figure the bars are shown overlapping in position wherein the higher priority program is shown in the foreground. The highest priority is the program being recorded and as can be seen from Fig. 2 reservation 3 has the highest priority by recording the whole program. The second highest priority goes to reservation 2 as can be seen from reservation 2 overlapping reservation 1, thereby

making reservation 1 having the lowest priority. Therefore Kono meets the claimed limitation and the rejection has been modified to include this reference where it was not included before."

Applicant believes that the Examiner is misinterpreting the subject invention. In particular, claim 1 states "displaying programs or parts of programs overlapping in time as partially overlapping and overlapped bars such that the lengths and positions, along the timeline, of an overlapping bar and an overlapped bar still visibly indicate the durations and times of transmission of the corresponding programs, wherein the overlapping bar and the overlapped bar partially superpose in position". As shown in Fig. 2 of the subject application, the overlapping and overlapped bar partially superpose in position, thereby enabling one to discern the durations and times of transmission of the corresponding programs. In Kono et al., the bars to the right of "RESERVE 1", "RESERVE 2" and "RESERVE 3", while overlapping in time, are not partially superposed. In the display at the bottom of Fig. 2 in Kono et al. to the right of "RECORDING CONTENTS", the "bars" are completely superposed and as such, "bar" 2ch is truncated and the duration and end time of the program represented by bar 2ch is not visibly indicated.

Further, Applicant would like to point out that the bottom portion of Fig. 2 in Kono et al. is not representing an alternative display of that shown in the upper portion of Fig. 2. Rather, the bottom portion of Fig. 2 is a graphical representation of what is to be (or was) recorded (see col. 2, lines 10-23). Hence, the bars

depicted in the bottom portion of Fig. 2, are not the same as the bars depicted in the upper portion of Fig. 2 (Note that the bar "2ch" in the bottom portion of Fig. 2 is significantly shorter than the bar "2ch" in the upper portion of Fig. 2).

Based on the foregoing, the Applicant respectfully submits that independent Claims 1, 4 and 8 are patentable over Nagano et al. in view of Kono et al. and Yuen et al. Claims 5-7 and 9-20 respectively depend from one of Claims 1, 4 and 8 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims.

Applicant therefore believes that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims 1 and 4-20, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by /Edward W. Goodman/
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611